

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

WILLIAM H. STOLLER, an  
individual and trustee of the William H.  
Stoller Trust, for himself and derivatively  
on behalf of Express Services, Inc., a  
nominal defendant,

Plaintiff,

v.

Case No. CIV-11-1144-C

ROBERT A. FUNK, an individual  
and trustee of the Robert A. Funk Trust,  
the ROBERT A. FUNK TRUST,  
ROBERT E. FELLINGER, and JERI  
CRAIG, individuals,

Defendants,

and

EXPRESS SERVICES, INC., a Colorado  
corporation,

Nominal Defendant.

**DEFENDANTS' REQUESTED VOIR DIRE**

Defendants Robert A. Funk and the Robert A. Funk Trust ("Defendants") respectfully request the Court to ask the following questions so the panel of potential jurors in the captioned proceeding, including any follow-up details or explanations, as appropriate.

**REQUESTED VOIR DIRE**

1. Have you ever brought a lawsuit against an individual or any type of company?

- If so, please described the type of claim you brought, and the court in which you brought your claim?

- Did the case go to trial?
- What was the result of the case?
- Were you satisfied with the resolution of your claim?
- In what year did you bring your claim?

2. Have you ever had a lawsuit brought against you or against a close family member such as a parent, spouse, or child?

- Please describe the type of claim that was brought and in what court.

- Did the case go to trial?
- What was the result of the case?
- Were you satisfied with the resolution of the claim?
- In what year was the claim brought?

3. Have you ever served as a juror in a case, whether criminal or civil?

- In approximately what year did you serve as a juror?
- What type of case have you served as a juror?
- What the jury capable of reaching a verdict?
- Without describing any of your deliberations, what was the verdict rendered by the jury in the case in which you served?
- Did you serve as the foreperson of the jury in that case?

4. Are you or any close relative such as a parent, spouse, or child, presently involved in a lawsuit or claim of any kind? If so, give the general details of this lawsuit or claim.

5. Have you or any member of your immediate family been a witness in a lawsuit? If so, please explain the nature of the lawsuit, and what role you or the member of your immediate family played in that case.

6. Have you, any member of your immediate family, close relative, or any close friend ever been employed by Express Services Inc. (often called Express Employment Professionals), Express Travel Services, Express Event Center, Oklahoma Temporary Services or Express Ranches, Inc.? If so, please provide details.

7. Have you, any member of your immediate family, close relative, or any close friend ever been employed by Stoller Vineyards or the Stoller Group? If so, please provide details.

8. Have you, any member of your immediate family, close relative, or any close friend ever been employed by a temporary personnel or staffing agency? If so, please provide details.

9. Have you, any member of your immediate family, close relative, or any close friend ever had any experience with a business franchise?

10. Have you, any member of your immediate family, close relative or close friend ever been employed by a bank or in the banking industry? If so, please provide the details.

11. Have you received any additional education or technical training following your graduation from high school? If so, please identify the college, university, vo-tech, or other school at which you received such training, and your major or the type of training you received.

12. Do you have a degree or certificate reflecting the education or training you received? If so, please indicate from what school, the degree or certificate received, and the year the degree or certificate was conferred.

13. Have you taken any college and/or graduate courses in business, finance, economics, accounting or law? If so, please state what course(s) you took, where you took such courses, and when you took such courses.

14. Please state whether you now or at any time have held any type of professional license, and if so, please describe.

15. Have you or any member of your immediate family ever served as an officer or director of a company or corporation? If so, please provide details regarding the name of the company or corporation, positions you held, and your years of service in such positions.

16. Have you or any member of your immediate family ever been a partner in a partnership? If so, please provide details regarding the partnership, including the type of business operated by the partnership and the current status of the partnership?

17. If you answered yes to number 16 above, have you or your immediate family member ever engaged in any dispute over the partnership? If so, please describe and state the outcome?

18. Have you or any member of your family had any special training or taken any accounting courses, or worked in the accounting field. If so, please explain.

19. Have you or any immediate member of your family ever served as an expert witness in connection with any type of dispute. If so, please explain.

20. Have you or any member of your immediate family had any special training or taken any courses in connection with the preparation of tax returns? If so, please explain.

21. Have you ever served in the military? If so, please state the branch of military service, your years of service, highest rank held, where you were stationed for any period of three months or more, and confirm that you were honorably discharged.

22. Are you presently employed? If so, please state your occupation and the name of your employer. Please briefly explain your job duties.

23. Are you presently married? If so, please state your spouse's name and his or her occupation. State the name of your spouse's employer, if any.

24. Please describe any past employment you have held, state the names of your past employers and briefly describe your job duties.

25. Have you or any member of your family ever worked for an attorney, a judge, a court, or any other law-related field? If so, please explain.

26. Do you have any feelings about the judicial system, judges, lawyers or the appropriateness of the trial of disputes by means of a lawsuit? If so, please explain the nature of your feelings on these issues.

27. Do you believe in the jury system as a means of settling disputes? If not, please explain the nature of your feelings.

28. Have you or any member of your family ever had any special training or taken any legal courses or worked in the legal field? If so, please explain.

29. Are you a member of any volunteer organizations? If so, which ones?

30. Do you regular read a newspaper or magazine?

- Which newspaper(s) or magazine(s) do you regularly read?
- Has anything you have read in a newspaper or magazine influenced your view of the manner in which businesses or the legal system operates? If so, please explain.

31. Do you have any personal matters that you wish to bring to the attention of the court that might interfere with your service as a juror in this case?

32. What do you thing in general about lawyers and the legal system?

33. This case may last as long as two weeks. Is there anything that would affect your sitting on this jury for that period of time?

34. Do you have any personal matter that is so pressing that your ability to listen and to consider the facts in this case might be impaired, and as a result you might not be able to be fair and impartial to the Plaintiffs and the Defendant and the Third-Party Defendant? If so, please explain.

35. What do you typically do on weekends?

36. What is your favorite television show?

37. Do you volunteer or give time or money to any particular charity; and if so, which one?

38. What are your favorite sports?

39. Do you read in your spare time? If so, what do you read? What was the last book you read?

40. Do you know of any reason, whether you have been asked questions about it or not, that might lead you to question whether you could render a fair and impartial decision in this case.

Respectfully submitted,

s/Amy J. Pierce

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**ATTORNEYS FOR DEFENDANTS  
ROBERT A. FUNK AND  
THE ROBERT A. FUNK TRUST**

**CERTIFICATE OF SERVICE**

I hereby certify that on February 25, 2014 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system which will automatically send e-mail notification of such filing to all attorneys of record.

s/ Amy J. Pierce  
Amy J. Pierce